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TRINITY FINANCIAL SERVICES, LLC
and TRINITY RECOVERY SERVICES,
LLC

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RODNEY MOTT,

Plaintiff,

v.

TRINITY FINANCIAL SERVICES,
LLC, AND TRINITY RECOVERY
SERVICES, LLC,

Defendants.

Case No. 2:17-cv-01754-RFB-GWF

**DECLARATION OF DON A.
MADDEN, III IN SUPPORT OF
OPPOSITION TO PLAINTIFF'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

I, DON A. MADDEN, III, declare:

1. I have personal knowledge of the matters stated herein. If called as a witness to testify in this matter, I could and would testify competently thereto under oath.

2. I am President of Trinity Financial Services, LLC ("Trinity Financial") and of Trinity Recovery Services, LLC ("Trinity Recovery"). At the time pertinent

1 to this matter, Trinity Financial and Trinity Recovery were sister companies that
 2 shared business offices in Newport Beach, California. Trinity Financial Services
 3 utilized the employees of Trinity Recovery for operations and, thus, employees of
 4 Trinity Recovery regularly, and at all times relevant to this matter, acted as agents
 5 of Trinity Financial Services. For these reasons, any information or communication
 6 received or provided by Trinity Financial necessarily was received or provided by
 7 Trinity Recovery, and any information or communication received or provided by
 8 Trinity Recovery necessarily was received or provided by Trinity Financial. In this
 9 Declaration, the term “Trinity” will refer to Trinity Financial and Trinity Recovery
 10 jointly.

11 3. I am also the President of Trojan Capital Investments, LLC (“Trojan”).

12 4. Both Trinity and Trojan are engaged in purchasing second trust deeds
 13 and corresponding loan notes for investment purposes. Trojan on occasion obtains
 14 loans from Trinity that Trinity has purchased. Trinity also has its own portfolio.

15 5. One of the properties for which Trinity purchased a note and second
 16 deed of trust is 609 Verde Vista Place, Las Vegas, NV 89113 (the “Property”). The
 17 note and second deed of trust against the Property was one of approximately 159
 18 loans received on March 13, 2015, including other notes and corresponding second
 19 deeds of trust, which Dreambuilder Investments, LLC (“Dreambuilder”) authorized
 20 transferred to Trinity. A part of its receipt of the pool of loans from Dreambuilder,
 21 Trinity received the original signed loan note and original signed second deed of
 22 trust with respect to the Property.

23 6. Before it purchased the notes and second deeds of trust in the pool of
 24 159 loans from Dreambuilder, Trinity’s business purpose in requesting credit
 25 reports pertaining to Plaintiff and the other debtors was to evaluate the individual
 26 assets that Trinity was considering purchasing. After the purchase, Trinity’s
 27 business purpose in accessing credit reports was to continue monitoring those assets
 28 from time to time taking into account Trinity’s ongoing security interest in the

1 assets.

2 7. Trinity transferred the Plaintiff's note and second deed of trust to
3 Trojan effective August 12, 2015 as part of a purchase of over 75 loans by Trojan
4 from Trinity. After the transfer, Trojan wished to monitor the assets that it had
5 purchased from Trinity (including Plaintiff's note and second deed of trust), so it
6 requested Trinity to pull credit reports pertaining to Plaintiff on behalf of Trojan,
7 and Trinity did so.

8 I declare under penalty of perjury under the laws of the United States that the
9 foregoing is true and correct and that this declaration is executed this 14th day of
10 September, 2018 at Newport Beach, California.

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13 Don A. Madden, III
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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2018, and pursuant to the Federal Rules of Civil Procedure, a true and correct copy of the foregoing **DECLARATION OF DON A. MADDEN, III IN SUPPORT OF OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT** was served via the U.S. District Court's electronic filing system to all individuals entitled to receive service thereon.

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